

**REMARKS**

Claims 1-22 are pending in this application, of which claims 9-22 have been withdrawn from consideration and claim 7 has been amended. No new claims have been added.

The Examiner has requested a shorter Abstract. The Abstract has been so amended.

Claim 7 stands rejected under 35 USC § 112, second paragraph, as indefinite.

Accordingly, claim 7 has been amended to correct the noted instance of indefiniteness.

Thus, the 35 USC §112, second paragraph, rejection should be withdrawn.

Claims 1-3 stands rejected under 35 USC § 102(b) as anticipated by JP 10004301 A to

**Okuda et al.** (hereinafter “**Okuda et al.**”)

Applicants respectfully traverse this rejection.

**Okuda et al.** discloses a magnetostatic wave device 10 including a ferromagnetic element 12 of high saturation electric power set at the input side and a ferromagnetic element 13 of low saturation electric power set at the output side which are connected in series. The element 12 consists of a YIG (yttrium- iron-garnet) thin film 14 laminated on a rectangular GGG (gadolinium-gallium- garnet) substrate, and the element 13 consists of a YIG thin film 15 laminated on a rectangular GGG substrate.

Contrary to what the Examiner has asserted, **Okuda et al.** discloses that the MSSW will be excited if an RF signal is inputted into input transducer 38a, and “it spreads receiving saturation limiting and is received by output transducer 38b.” Thus, in **Okuda et al.** the magnetostatic wave propagates between the input and output transducers, in contrast to the present invention, in which the wave propagates between first and second end surfaces in the

magnetic layer, as recited in claim 1 of the instant application. Therefore, Okuda et al. fails to also disclose the first and second intervals for propagation, as recited in claim 1 of the instant application.

Thus, the 35 USC §102(b) rejection should be withdrawn.

Claims 4 and 5 stands rejected under 35 USC § 103(a) as unpatentable over Okuda et al. Applicants respectfully traverse this rejection.

As noted above, Okuda et al. fails to disclose the limitations of claim 1, from which these claims depend.

Thus, the 35 USC §103(a) rejection should be withdrawn.

The Examiner has allowed claims 6 and 8 and has indicated that claim 7 would be allowed if amended to be in independent form and to overcome the 35 USC §112, second paragraph, rejection. Applicants respectfully defer the rewriting of claim 7 in independent form until a FINAL Office Action, if any, is received.

In view of the aforementioned amendments and accompanying remarks, claims 1-8, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 09/988,815

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Substitute Abstract of the Disclosure  
Petition for Extension of Time

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